

**CITY COUNCIL MEETING
FEBRUARY 25, 2003**

Date & Time	On the 25 th day of February, A.D., 2003, the City Council of the City of Fort Worth, Texas, met in regular session at 10:28 a.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted:
Invocation	The invocation was given by Dr. Warner Bailey, Ridglea Presbyterian Church.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Council Member Silcox, seconded by Council Member Lane, the minutes of the regular meeting of February 18, 2003, were approved unanimously.
Special Presentations	Council Member Moss read a Proclamation honoring Dunbar High School Coach Robert Hughes.
Withdrawn from Consent Agenda	Council Member Picht requested that Mayor and Council Communication No. C-19488 be withdrawn from the consent agenda.
Continued/ Withdrawn By Staff	City Manager Jackson requested that Mayor and Council Communication No. G-13893 be continued until March 18, 2003.
Consent Agenda	On motion of Council Member Silcox, seconded by Mayor Pro tempore McCloud, the consent agenda, as amended, was adopted unanimously.
Appointments	<p>Council Member Lane made a motion, seconded by Council Member Davis, that Teresa M. Ayala be reappointed to Place 2 on the Parks and Community Services Advisory Board, effective February 25, 2003 and with a term expiring October 1, 2004. The motion carried unanimously.</p> <p>Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that Lee Milton Echols, Jr. be appointed to Place 8 on the Parks and Community Services Advisory Board, effective February 25, 2003 and with a term expiring October 1, 2004. The motion carried unanimously.</p>

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FORT WORTH, TEXAS
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**Ord. #15456
Publication of
Notice of
Intention to
Issue
Combination
Tax & Revenue
Certificates of
Obligation,
Series 2003**

There was presented Ordinance No. 15456 by the City Council of the City of Fort Worth, Texas, directing publication of Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation, Series 2003; and ordaining other matters relating to the subject. Council Member Davis made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried unanimously.

**Res. #2923
Locally
Preferred
Alternative for
Southwest
Parkway &
Transmit to
TxDOT Hearing
on DEIS**

The City Council, at its meeting of February 18, 2003, continued Resolution No. 2923 adopting the recommended locally preferred alternative for the Southwest Parkway (SH-121T) and transmitting the recommended locally preferred alternative to the Texas Department of Transportation for the Texas Department of Transportation's hearing on the Draft Environmental Impact Statement (DEIS) for SH-121T.

City Secretary Pearson read the corresponding resolution at this time.

**Res. #2924
Comments on
DEIS for
Southwest
Parkway &
Transmit
Comments to
TxDOT Hearing
on DEIS**

The City Council, at its meeting of February 18, 2003, continued Resolution No. 2924 adopting comments on the Draft Environmental Impact Statement (DEIS) for the Southwest Parkway (SH-121T) and transmitting the comments to the Texas Department of Transportation (TxDOT) for the Texas Department of Transportation's hearing on the DEIS for SH-121T.

Messrs. Marc Ott, Joe Ternus, and Bryan Beck gave a brief presentation which included proposed changes, some of which were based on public comments. The briefing also included an explanation of the three traffic models used to conduct the traffic studies.

Mr. Ott acknowledged members of the Project Team, Joe Ternus, Bryan Beck, Robert Goode, Doug Rademaker, Scott Polikov, Brian Schaumberger, and Kurt Schulte.

Council Member Silcox advised the Council of another proposal submitted by the major property owner in the area. He introduced Mr. Scott Walker, a representative of Casco. Mr. Walker requested that Arborlawn be constructed at grade to facilitate easier access to the Casco property.

The following individuals appeared before Council relative to the SH-121T Project:

Joe Monteleone	3305 Moss Hollow
Represented Overton Woods Homeowners Association	
Margaret DeMoss	3451 Green Arbor Ct.
Beth Rivers	4900 Riverbend Dr.
Chuck Blanton	3600 Briarhaven Rd.
Represented Overton Woods Homeowners Association	
Randy Means	1941 Berkeley Place
Represented Bentley Village Homeowners Association	
John Boswell	2214 Spanish Trail
Represented Fort Worth Country Day	

Council Member Silcox made a motion, seconded by Council Member Mayor Pro tempore McCloud, that Resolution No. 2923 be adopted, with various modifications. The motion carried unanimously.

Council Member Silcox made a motion, seconded by Council Member Lane, that Resolution No. 2924 be adopted. The motion carried unanimously.

**Recessed/
Reconvened**

Mayor Barr recessed the meeting at 12:30 p.m. and reconvened at 12:40 p.m.

**Ord. #15457
Calling Election
for Mayor & City
Council
Members on
May 3, 2003**

The City Council, at its meeting of February 18, 2003, continued Ordinance No. 15457 ordering an election by the qualified voters of the City of Fort Worth, Texas, on Saturday, the 3rd day of May, 2003, for the purpose of electing the Mayor and Council Members for the City of Fort Worth.

City Attorney Yett advised Council that there was one additional change to be made to the Revised Exhibit "A", stating that the precincts to be voted at Calvary Cathedral were 4124 and 1595.

Council Member Lane made a motion, seconded by Mayor Pro tempore McCloud, that the ordinance be adopted, as amended. The motion carried unanimously.

**OCS-1333
Claims**

There was presented Mayor and Council Communication No. OCS-1333 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

**G-13891
Ord. #15458
COPS Grant:
Value-Based
Initiative**

There was presented Mayor and Council Communication No. G-13891 from the City Manager recommending that the City Council:

1. Authorize the City Manager to accept a renewal grant award from the Office of Community Oriented Policing Services (COPS) in the amount of \$157,500.00 for the Value-Based Initiative for the period of October 1, 2003, through March 31, 2005; and
2. Adopt Appropriation Ordinance No. 15458 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$157,500.00, subject to receipt of a grant from the Office of Community Oriented Policing Services for the Value-Based Initiative; and
3. Authorize the City Manager to waive indirect costs in the amount of \$14,075.00.

It was the consensus of the City Council that the recommendation be adopted.

**G-13892
Ord. #15459
Application to
Texas Parks &
Wildlife
Department for
Community
Outreach Grant**

There was presented Mayor and Council Communication No. G-13892 from the City Manager recommending that the City Council:

1. Authorize the City Manager to submit, accept and execute a grant application to the Texas Parks and Wildlife Department for a Community Outreach Grant for the purpose of funding an outdoor learning area at Paschal High School; and
2. Adopt Appropriation Ordinance No. 15459 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$7,085.00, subject to receipt of the funds from the Texas Parks and Wildlife Department for a Community Outreach Grant for the purpose of funding an outdoor learning area at Paschal High School.

It was the consensus of the City Council that the recommendation be adopted.

**G-13893
Continued until
March 18, 2003**

It was the consensus of the City Council that Mayor and Council Communication No. G-13893, Supplemental Appropriation Ordinance for Fiscal Year 2002-2003 for Rollover Encumbrances and Designated Expenditures, be continued until March 18, 2003.

Public Hearing

It appeared that the City Council set today as the date for a public hearing for Fort Worth Public Improvement District No. 11 (the Stockyards). Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Linda Brown, representing the Finance Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. G-13894, as follows:

**G-13894
Res. #2925
PID #11 (The
Stockyards)**

There was presented Mayor and Council Communication No. G-13894 from the City Manager recommending that the City Council:

1. Hold a public hearing concerning the following matters:

- The advisability of establishing the proposed district; and
- The general nature of the proposed improvements and/or services; and
- The estimated cost of improvements and/or services; and
- The proposed boundaries of the district; and
- The proposed method of assessment; and
- The proposed apportionment of costs between the improvement district and the City as a whole; and

2. Adjourn such public hearing; and

3. Adopt Resolution No. 2925 which:

- Establishes a public improvement district under the Public Improvement District Assessment Act (the Act) (V.T.C.A., Local Government Code, Section 372.001 et seq.) to be known as the Fort Worth Public Improvement District No. 11 (PID No. 11); and
- Authorizes the City to exercise the powers granted by the Act in connection with the establishment of a public improvement district; and

- **Makes certain findings concerning the nature and advisability of the improvements and/or services to be provided by the district, the estimated costs, the boundaries of the district, the method of assessment, and the apportionment of costs between the district and the City as a whole; and**
 - **Adopts the budget and service plan for Fiscal Year 2003-2004, which was presented by representatives of signers of the petition for creation of the district; and**
- 4. Adopt the proposed assessment roll on file in the Office of the City Secretary; and**
 - 5. Direct the City Secretary to publish notice of the establishment of the district as required by the Act; and**
 - 6. Authorize the City Manager to execute a contract with the Fort Worth Stockyards Preservation Foundation, Inc. to provide management services to the district.**

There being no one else present desiring to be heard in connection with the public hearing for Fort Worth Public Improvement District No. 11 (the Stockyards), Council Member Lane made a motion, seconded by Council Member Moss, that the public hearing be closed and Mayor and Council Communication No. G-13894 be adopted. The motion carried unanimously.

Council Member Lane expressed appreciation to all the business and property owners who participated in creating PID No. 11.

**G-13895
Ord. #15460
2003
Comprehensive
Plan**

There was presented Mayor and Council Communication No. G-13895 from the City Manager recommending that the City Council approve Ordinance No. 15460 adopting the City of Fort Worth 2003 Comprehensive Plan; analyzing population, economic and financial trends; describing municipal services and facilities; describing economic and technological issues affecting development; describing implementation tools; dividing the City into 16 planning sectors; providing maps describing proposed future land uses and recommended land use policies for each sector; establishing goals and recommended policies. Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

Public Hearing It appeared that the City Council set today as the date for a public hearing for the approval and appropriation of mid-year adjustments to FY2002-2003 Crime Control and Prevention District budget for Crime Lab improvements. Mayor Barr asked if there was anyone present desiring to be heard.

Ralph Mendoza, Chief of Police, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. G-13896, as follows:

G-13896 There was presented Mayor and Council Communication No. G-
Ord. #15461 13896 from the City Manager recommending that the City Council:

**Mid-Year
Adjustments to
FY2002-2003
CCPD Budget
for Crime Lab
Improvements**

1. Approve a mid-year adjustment of \$120,000.00 to the FY2002-2003 Crime Control and Prevention District (CCPD) budget to fund operating expenses during DNA certification; and
2. Approve a mid-year adjustment of \$1,671,983.00 to the FY2002-2003 CCPD budget to fund a new Crime Lab facility; and
3. Adopt Supplemental Appropriation Ordinance No. 15461 increasing estimated receipts and appropriations in the Crime Control and Prevention District Fund by \$1,791,983.00 from available funds and decreasing the Unreserved, Designated Fund balance by \$1,791,983.00 for the purpose of funding a new Crime Lab facility.

There being no one else present desiring to be heard in connection with the public hearing for the approval and appropriation of mid-year adjustments to FY2002-2003 Crime Control and Prevention District budget for Crime Lab improvements, Council Member Davis made a motion, seconded by Council Member Silcox, that the public hearing be closed and Mayor and Council Communication No. G-13896 be adopted. The motion carried unanimously.

G-13897
Fourth Annual
Pooch & Pals
Promenade

There was presented Mayor and Council Communication No. G-13897 from the City Manager recommending that the City Council approve the Public Health Department's Animal Care and Control Division's Fourth Annual Pooch and Pals Promenade walk/run to benefit the City's animal shelter. Council Member Silcox made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously.

**G-13898
Ord. #15462
Sponsorships
for "Care for
Cowtown Air"
Program**

There was presented Mayor and Council Communication No. G-13898 from the City Manager recommending that the City Council:

- 1. Authorize the City Manager to accept \$3,000.00 in cash sponsorships for the "Care for Cowtown Air" program; and**
- 2. Authorize the City Manager to accept donated services sponsorships valued in excess of \$10,000.00; and**
- 3. Adopt Supplemental Appropriation Ordinance No. 15462 increasing estimated receipts and appropriations in the Environmental Management Fund in the amount of \$3,000.00 from available funds, for the purpose of funding the kick-off event for "Care for Cowtown Air".**

Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**G-13899
Ord. #15463
Amend Chapter
12.5,
Environmental
Protection &
Compliance
Related to Solid
Waste Services**

There was presented Mayor and Council Communication No. G-13899 from the City Manager recommending that the City Council adopt Ordinance No. 15463 amending the Code of the City of Fort Worth (1986), as amended, by the amendment of Chapter 12.5, "Environmental Protection and Compliance," Article I "Administration and Enforcement," Section 12.5-103 "Definitions," by the addition of definitions for "Brush," "Big Trash and Big Brush," "Carry-out Service," "Cart," "CFCS/HCFS," "City Household Collection Service," "Convenience Center," and "Yard Trimmings" and by the amendment of the definition of "Commission;" and further amending said chapter by the amendment of Article VIII, "Solid Waste and Recycling," Division 1, "General Provisions," by the amendment of Section 12.5-802 "Operation of City Solid Waste Facilities," by renaming it and authorizing the Director of Environmental Management to determine operational procedures at convenience centers; by the amendment of Section 12.5-803 "Special Waste Not Accepted," providing for the prohibition of special waste being placed for collection or disposed of at convenience centers, and providing exceptions; by the amendment of Section 12.5-804 "Vehicles at City Solid Waste Facilities," by renaming it and requiring vehicles to be covered to prevent spillage or blowing of waste; by the amendment of Section 12.5-805 "Assumption of Risk of Injury at City Solid Waste Facilities," by renaming it and providing for assumption of risk by persons entering upon convenience centers;

and further amending said chapter by the amendment of Article VIII, "Solid Waste and Recycling," by the amendment of Division 2, "Household Collection" in its entirety, providing for the collection of household garbage, recyclables, yard trimmings, and big trash and big brush; and further amending said chapter by the amendment of Article VIII, "Solid Waste and Recycling," Division 3, "Commercial Services," Section 12.5-830, "Commercial Collection Service," providing for the curbside collection of garbage and rubbish from certain commercial customers; providing that this ordinance is cumulative; providing a severability clause; providing for a fine up to \$2,000.00 for each offense in violation of the ordinance. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**G-13900
Reject Bids for
Unit Two and
Authorize Re-
Bid Cleaning &
Closed Circuit
Television
Inspection of
Large Diameter
Sanitary Sewer
Mains**

There was presented Mayor and Council Communication No. G-13900 from the City Manager recommending that the City Council authorize the City Manager to reject all bids for Unit Two of the cleaning and closed-circuit television inspection of large diameter sanitary sewer mains in Fort Worth and to re-advertise this project for bid at a later date. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**G-13901
Transfer CDBG
Funds from
Eugene McCray
Community
Center to
Shackleford
Park**

There was presented Mayor and Council Communication No. G-13901 from the City Manager recommending that the City Council approve the transfer of \$44,965.00 of Community Development Block Grant (CDBG) – Year XXVI funds from the Eugene McCray Community Center project to the Shackleford Park project. Council Member Moss made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**G-13902
Ord. #15464
Amend Project &
Financing Plan
for Tax Increment
Reinvestment
Zone #3
(Downtown TIF)**

There was presented Mayor and Council Communication No. G-13902 from the City Manager recommending that the City Council adopt Ordinance No. 15464 approving an amended Project and Financing Plan for Tax Increment Zone No. 3, City of Fort Worth, Texas (Downtown TIF); making various findings related to such amended plan. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**P-9746
Pre-Recorded
DVDs**

There was presented Mayor and Council Communication No. P-9746, dated February 11, 2003, from the City Manager recommending that the City Council authorize a purchase agreement for pre-recorded digital video disks (DVDs) from Follett Media Distribution for the Library Department based on over-all best percentage of discount from the list price meeting specifications with payment due 30 days after receipt of the invoice and freight included in unit prices; and authorize this agreement to begin February 11, 2003, and expire February 10, 2004, with options to renew for four additional one-year periods. Council Member Moss made a motion, seconded by Council Member Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin, Moss,
Wentworth, and Davis

NOES: Council Member Picht

ABSENT: None

**P-9753
Curb Stops**

There was presented Mayor and Council Communication No. P-9753 from the City Manager recommending that the City Council authorize a purchase agreement with Ferguson Waterworks for curb stops for the Water Department based on the low bid of unit prices. The shipping cost is included to receiving point with payment due 30 days from the date of the invoice; and authorize this agreement to begin February 25, 2003, and expire February 24, 2004, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9754
PVC Water &
Sewer Pipe**

There was presented Mayor and Council Communication No. P-9754 from the City Manager recommending that the City Council authorize a purchase agreement with Ferguson Waterworks for polyvinyl chloride (PVC) water and sewer pipe for the Water Department based on the low bid of unit prices. The shipping cost is included to receiving point with payment due 30 days from the date of the invoice; and authorize this agreement to begin February 25, 2003, and expire February 24, 2004, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9755
Mowing
Services**

There was presented Mayor and Council Communication No. P-9755 from the City Manager recommending that the City Council authorize a purchase agreement with Scott Landscape Maintenance, Inc. to provide mowing services for the Parks and Community Services Department based on the low bid of \$30,262.00, with payment due 30 days from the date of the invoice; and authorize this agreement to begin February 25, 2003, and expire February 24, 2004, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9756
Hose & Fittings**

There was presented Mayor and Council Communication No. P-9756 from the City Manager recommending that the City Council authorize a purchase agreement with Four Star Hose Supply, Inc. for hose and fittings for the City of Fort Worth. Prices will be based on the overall low bid of manufacturer's list prices less the quoted discounts for each category and labor charged per hour for threading and repairs as listed on the bid tabulation. Payment is due 30 days from the date the invoice is received. The City takes ownership at the City's facilities and freight is not charged; and authorize this agreement to begin February 25, 2003, and expire February 24, 2004, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9757
OEM Capital
Controls Chlorine
& Sulfur Dioxide
Induction Units,
Parts & Repair
Service**

There was presented Mayor and Council Communication No. P-9757 from the City Manager recommending that the City Council:

1. Authorize a sole source purchase agreement with Hartwell Environmental Corporation for OEM (original equipment manufacturer) Capital Controls chlorine and sulfur dioxide induction units, parts and repair service for the Water Department with payment due 30 days from the date of the invoice, with freight prepaid and added to the invoice; and
 - OEM Capital Controls equipment and parts provided at Manufacturers List Price; and
 - Labor to repair equipment will be provided at \$100.00 per hour; and
2. Authorize this agreement to begin March 1, 2003, and expire February 29, 2004, with options to renew for two additional one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

**P-9758
Mowing
Services**

There was presented Mayor and Council Communication No. P-9758 from the City Manager recommending that the City Council authorize a purchase agreement with Goodwill Industries to provide mowing services through the Texas Industries for the Blind and Handicapped for the Parks and Community Services Department for a total cost of \$44,152.00 with payment due 30 days from the date of invoice; and authorize this agreement to begin February 25, 2003, and expire February 24, 2004, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9759
Office Supplies**

There was presented Mayor and Council Communication No. P-9759 from the City Manager recommending that the City Council:

1. Authorize a purchase agreement with Corporate Express for office supplies for all City departments based on the Interlocal Agreement with Tarrant County. Freight is included in the prices and payment is due 30 days after receipt of the invoice; and
 - Supplies listed in the primary catalog will be at list price, less 65 percent discount; and
 - Supplies listed in the secondary catalog will be at list price, less discounts up to 80 percent; and
2. Authorize this agreement to begin March 4, 2003, and expire September 4, 2003, with an option to renew for one additional one-year period.

It was the consensus of the City Council that the recommendation be adopted.

**P-9760
ComLog Digital
Voice Logger**

There was presented Mayor and Council Communication No. P-9760 from the City Manager recommending that the City Council authorize a sole source purchase with CVDs, Inc. for a ComLog Digital Voice Logger for the Police Department's alternate Public Safety Answering Point. The purchase is based on the bid received from the sole source vendor of \$48,428.84, with payment due 30 days from receipt of the invoice with freight included in the quoted price. It was the consensus of the City Council that the recommendation be adopted.

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| P-9761
Upgrade Internet
Services | There was presented Mayor and Council Communication No. P-9761 from the City Manager recommending that the City Council authorize a purchase agreement for an Internet services upgrade from AT&T for the Information Technology Solutions Department using the State of Texas catalogue purchasing procedures; and authorize this two-year agreement to begin February 25, 2003, and expire February 24, 2005, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted. |
| L-13508
Acquisition of
Parcel of Land,
Permanent
Easement &
Temporary
Construction
Easement | There was presented Mayor and Council Communication No. L-13508 from the City Manager recommending that the City Council authorize the acquisition of one parcel of land described as a 1.4348 acre tract, one permanent easement described as a 3.224 acre tract, and one temporary construction easement described as a 2.579 acre tract, all located in the Nathaniel Holbrook Survey, Abstract No. 647 from Vernon Investment Corporation for the construction of a new water tank and the extension of the Westside IV Water Transmission Main near Westpoint Boulevard and west of Bassett Locke Road (DOE 3540) for a total cost of \$3.00. It was the consensus of the City Council that the recommendation be adopted. |
| L-13509
Avigation
Easement | There was presented Mayor and Council Communication No. L-13509 from the City Manager recommending that the City Council authorize the acceptance of an avigation easement described as Lot 8, Block 96, M. G. Ellis Addition, from Martha L. Loza for property located at 3115 Refugio for the Fort Worth Meacham International Airport Noise Mitigation Program for a cost of \$1.00; and authorize the acceptance and recording of the appropriate instruments. It was the consensus of the City Council that the recommendation be adopted. |
| L-13510
Sub-Lease
Extension for
Office Space | There was presented Mayor and Council Communication No. L-13510 from the City Manager recommending that the City Council authorize the City Manager to execute a sub-lease extension with Texas Christian University for office space located at 2900 West Berry Street for the Police Department, at a cost of \$1.00 per year; and authorize the extension to begin March 1, 2003, and expire February 29, 2004. It was the consensus of the City Council that the recommendation be adopted. |

**L-13511
Lease Extension
for Office Space** There was presented Mayor and Council Communication No. L-13511 from the City Manager recommending that the City Council authorize the City Manager to execute a lease extension with United Community Centers, Inc. for office space located at 970 East Humbolt Street for the Police Department at no cost; and authorize the lease extension to begin April 1, 2003, and expire March 31, 2004, with two 12-month renewal options. It was the consensus of the City Council that the recommendation be adopted.

Public Hearing It appeared that the City Council set today as the date for a public hearing for a street name change from Packsaddle Drive to Pack Saddle Trail, Legacy Square Addition, Fort Worth, Texas. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. John Garfield, representing the Development Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. PZ-2465, as follows:

**PZ-2465
Ord. #15465
Street Name
Change
SN-03-001** There was presented Mayor and Council Communication No. PZ-2465 from the City Manager recommending that the City Council adopt Ordinance No. 15465 changing the name of "Packsaddle Drive" to "Pack Saddle Trail", from North Academy Boulevard to Pepperwood Trail, Legacy Square Addition, Fort Worth, Texas.

There being no one else present desiring to be heard in connection with the public hearing for a street name change from Packsaddle Drive to Pack Saddle Trail, Legacy Square Addition, Fort Worth, Texas, Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the public hearing be closed and that Mayor and Council Communication No. PZ-2465 be adopted. The motion carried unanimously.

Public Hearing It appeared that the City Council set today as the date for a public hearing for a street name change from Vanderzyl Road to Scoma Road, Vanderzyl Addition, Fort Worth, Texas. Mayor Barr asked if there was anyone presented desiring to be heard.

Mr. John Garfield, representing the Development Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. PZ-2466, as follows:

**PZ-2466
Ord. #15466
Street Name
Change
SN-03-002**

There was presented Mayor and Council Communication No. PZ-2466 from the City Manager recommending that the City Council adopt Ordinance No. 15466 changing the name of "Vanderzyl Road" to "Scoma Road", from East Ripy Street to Butler Street, Vanderzyl Addition, Fort Worth, Texas.

There being no one else present desiring to be heard in connection with the public hearing for a street name change from Vanderzyl Road to Scoma Road, Vanderzyl Addition, Fort Worth, Texas, Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the public hearing be closed and that Mayor and Council Communication No. PZ-2466 be adopted. The motion carried unanimously.

**C-19481
Ord. #15467
Texas State
Library &
Archives
Commission**

There was presented Mayor and Council Communication No. C-19481 from the City Manager recommending that the City Council:

1. Authorize the City Manager to accept the Loan Star Libraries Grant for the Fort Worth Public Library in the amount of \$78,247.00 from the Texas State Library and Archives Commission; and
2. Authorize the City Manager to execute a grant agreement with the Texas State Library and Archives Commission relating to such grant; and
3. Adopt Appropriation Ordinance No. 15467 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$78,247.00, upon receipt of a grant from the Texas State Library and Archives Commission for the Loan Star Libraries Program.

It was the consensus of the City Council that the recommendation be adopted.

**C-19482
Ord. #15468
Sutton &
Associates, LP**

There was presented Mayor and Council Communication No. C-19482 from the City Manager recommending that the City Council:

1. Authorize the transfer of \$348,652.50 from the Water and Sewer Operating Fund to the Water Capital Project Fund in the amount of \$191,952.50, and the Sewer Capital Project Fund in the amount of \$156,700.00; and

- 2. Adopt Appropriation Ordinance No. 15468 increasing estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$191,952.50 and the Sewer Capital Project Fund in the amount of \$156,700.00 from available funds for the purpose of funding a contract with Sutton and Associates, LP for Unit I hot mix asphaltic concrete (HMAC) Surface Overlay 2003-8 and Unit II Reconstruction of Bird Street; and**
- 3. Authorize the City Manager to execute a contract with Sutton & Associates, LP in the amount of \$645,684.00 for 85 working days for Unit I, HMAC Surface Overlay 2003-8 (\$605,305.00), and Unit II, Reconstruction of Bird Street (\$40,379.00).**

It was the consensus of the City Council that the recommendation be adopted.

**C-19483
Westhill
Construction,
Inc.**

There was presented Mayor and Council Communication No. C-19483 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Westhill Construction, Inc. in the amount of \$116,769.00 for 70 working days for Valley Gutter Contract 2003-9 at various locations. It was the consensus of the City Council that the recommendation be adopted.

**C-19484
Cornerstone
Appraisal
Company**

There was presented Mayor and Council Communication No. C-19484 from the City Manager recommending that the City Council authorize the City Manager to execute a real estate appraisal review contract with Cornerstone Appraisal Company in an amount not to exceed \$27,000.00. It was the consensus of the City Council that the recommendation be adopted.

**C-19485
Advanced
Underground
Imaging, Inc.
and Ace Pipe
Cleaning, Inc.**

There was presented Mayor and Council Communication No. C-19485 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with multiple vendors to provide cleaning and closed-circuit television inspection of large diameter sanitary sewer mains as follows:

- Advanced Underground Imaging, Inc., \$288,536.00, Unit One**
- Ace Pipe Cleaning, Inc., \$205,987.25, Unit Three**

It was the consensus of the City Council that the recommendation be adopted.

**C-19486
Ord. #15469
R. A.
Development,
Inc. & Stabile &
Winn, Inc.**

There was presented Mayor and Council Communication No. C-19486 from the City Manager recommending that the City Council:

- 1. Authorize the transfer of \$303,584.30 from the Water and Sewer Fund to the Water Capital Project Fund in the amount of \$241,290.30, and the Sewer Capital Project Fund in the amount of \$62,294.00; and**
- 2. Adopt Appropriation Ordinance No. 15469 increasing estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$241,290.30 and the Sewer Capital Project Fund in the amount of \$62,294.00 from available funds for the purpose of funding a contract with R. A. Development, Inc. for 1998 CIP Various Locations Contract 2001D Unit I: Water and Sewer Replacements; and**
- 3. Authorize the City Manager to execute a contract with R. A. Development, Inc. in the amount of \$271,057.30 for 1998 CIP Various Locations, Contract 2001D, Unit I: Water and Sanitary Sewer Replacements; and**
- 4. Authorize the City Manager to execute a contract with Stabile & Winn, Inc. in the amount of \$353,539.65 for 1998 CIP Various Locations, contract 2001D, Unit II: Paving Improvements (Alternate No. 1).**

It was the consensus of the City Council that the recommendation be adopted.

**C-19487
Amendment #2
to CSC #26033 -
TxDOT**

There was presented Mayor and Council Communication No. C-19487 from the City Manager recommending that the City Council approve Amendment No. 2 to City Secretary Contract No. 26033 for safety improvements requested by the Federal Aviation Administration for Taxiway Alpha at Fort Worth Meacham International Airport. It was the consensus of the City Council that the recommendation be adopted.

**C-19488
FW Aviation
Heritage
Association**

There was presented Mayor and Council Communication No. C-19488 from the City Manager recommending that the City Council authorize the City Manager to approve an agreement with the Fort Worth Aviation Heritage Association to hold an Air Show at Fort Worth Alliance Airport during the 2003 calendar year, with five annual renewal options. It was the consensus of the City Council that the recommendation be adopted.

**C-19489
Steve Dake
Construction**

There was presented Mayor and Council Communication No. C-19489 from the City Manager recommending that the City Council authorize the City Manager to execute a construction contract with Steve Dake Construction for the renovation of digester No. 13 at the Village Creek Wastewater Treatment Plant in the amount of \$359,300.00. It was the consensus of the City Council that the recommendation be adopted.

**C-19490
Ramey Avenue,
L.P. & KB Home
Lone Star, L.P.**

There was presented Mayor and Council Communication No. C-19490 from the City Manager recommending that the City Council:

- 1. Approve the application of Ramey Avenue, L.P. and KB Home Lone Star, L.P. for a five-year Municipal Property Tax Abatement for the Ramey Place Addition in the Stop Six Neighborhood Empowerment Zone (NEZ); and**
- 2. Find that the statements set forth in the recitals of the Tax Abatement Agreement with Ramey Avenue, L.P., a Texas Limited Partnership, and KB Home Lone Star, L.P., are true and correct; and**
- 3. Authorize the City Manager to enter into a Tax Abatement Agreement with Ramey Avenue, L.P., and KB Home Lone Star, L.P., in accordance with the NEZ Basic Incentives.**

Council Member Moss made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried by the following vote:

**AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Haskin, Moss,
Picht, Wentworth, and Davis**

NOES: Council Member Silcox

ABSENT: None

Council Member Moss advised Council that KB Home Lone Star had committed to building the homes with a minimum of 1,500 square feet instead of 1,200 square feet. He further stated that the tax abatement was in accordance with the Neighborhood Empowerment Zone.

- C-19491**
Barham & Harris
One, L.P.
- There was presented Mayor and Council Communication No. C-19491 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with Barham & Harris One, L.P., for the installation of community facilities for Parkview Hills Addition, Phase I. Council Member Haskin made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.
- C-19492**
D. R. Horton –
Texas, Ltd.
- There was presented Mayor and Council Communication No. C-19492 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with D. R. Horton – Texas, Ltd., for the installation of community facilities for McPherson Ranch, Phase I. Council Member Haskin made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.
- C-19493**
Mercantile
Partners, L.P.
- There was presented Mayor and Council Communication No. C-19493 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with Mercantile Partners, L.P. for the installation of community facilities for stream relocation of a portion of Little Fossil Creek. Council Member Lane made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously.
- C-19494**
Light of the
World Lutheran
Church
- There was presented Mayor and Council Communication No. C-19494 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with Light of the World Lutheran Church for the installation of water and sewer services. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.
- Council Member Lane excused himself from the Council table at this time.
- Public Hearing**
709 Grainger
Street
HS-89-78
- It appeared that the City Council set today as the date for a public hearing for Appeal of the Order of the Building Standards Commission regarding 709 Grainger Street. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding 709 Grainger Street and recommended that Council uphold the decision of the Building Standards Commission's ruling to deny the request for an amendment to the order.

Bob Strickland **Mr. Bob Strickland, 2700 Missouri, appeared before City Council and requested favorable consideration for amendment to the order and stated that he had problems with the electrician completing the electrical work. He stated that the issue was being resolved and requested an extension, stating that he would be able to complete the repairs within the thirty-day period.**

William Kay **Mr. William Kay, 915 Morris St., appeared before the City Council and advised that he had to drop everything to work on the property at 709 Grainger Street, and that the only thing that was impeding their progress was completion of the electrical portion.**

In response to Council Member Davis inquiry relative to the zoning of the property, Mr. Bob Riley stated that it was zoned "ER" Restricted Commercial. He further stated that they were researching to see if the property was ever granted a legal non-conforming status.

There being no one else present desiring to be heard in connection with the public hearing for the Appeal of the Order of the Building Standards Commission regarding 709 Grainger Street, Council Member Davis made a motion, seconded by Council Member Haskin, that the public hearing be closed and that Council uphold the decision of the Building Standards Commission to deny the request for an amendment to the order.

Council Member Lane assumed his chair.

**Public Hearing
1801 Ash
Crescent Street
HS-95-247** **It appeared that the City Council set today as the date for a public hearing for Appeal of the Order of the Building Standards Commission regarding 1801 Ash Crescent Street. Mayor Barr asked if there was anyone present desiring to be heard.**

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding 1801 Ash Crescent Street and recommended that Council uphold the decision of the Building Standards Commission to repair or demolish the property within 30 days.

Greg Bellows **Mr. Greg Bellows, 644 Hicks, appeared before the City Council and requested that additional time be granted and briefed them on the history of this property and stated that some of the violations were received under the previous owner. He needed time to obtain a new bid on the electrical work.**

Mr. Carl Smart advised Council that the Code Compliance was willing to work with Mr. Bellows, but that he would need to show a significant amount of progress had been made prior to any demolition-taking place.

There being no one else present desiring to be heard in connection with the public hearing for the Appeal of the Order of the Building Standards Commission regarding 1801 Ash Crescent, Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the public hearing be closed and that Council uphold the decision of the Building Standards Commission to repair or demolish the property within 30 days.

City Manager Jackson informed Council that staff would be briefed relative to alternative ways of managing substandard structures.

**Citizen
Presentations
Harbi Hassan** **Mr. Harbi Hassan, 1228 N. Britain Road #227, Irving, appeared before Council regarding affordable taxicab insurance.**

**Executive
Session** **It was the consensus of the City Council that they recess into Executive Session at 1:37 p.m. to:**

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules as authorized by Section 551.071 of the Texas Government Code:

- a) Modern Contractors v. Women's Second Chance, et al, Cause No. 48-190689-01;**
- b) Tracy Milian v. City of Fort Worth, Cause No. 017-197096-03;**
- c) E. F. Haralson, Jr. v. Board of Adjustment, Cause No. 342-196146-02;**

d) Legal issues concerning the Martha Lane drainage channel;

e) Legal issues concerning any City Council agenda item; and

2. Deliberate the purchase, sale, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and

4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

Reconvened The City Council reconvened into regular session at 2:37 p.m.

Adjournment There being no further business, the meeting was adjourned at 2:37 p.m.